

EXPEDITED PROCEDURE
RESPONSE UNDER 37 CFR §1.111
GROUP ART UNIT: 1642



Docket No. 50130-E/JPW/CMR
March 12, 2001

In re application of: Daniel J. Capon, Jeannette M. Whitcomb
and Neil T. Parkin

Serial No.: 09/126,559

Group Art Unit: 1642

Filed: July 30, 1998

Examiner: B. Brumback

For: COMPOSITIONS AND METHOD FOR DETERMINING ANTI-VIRAL DRUG SUSCEPTIBILITY
AND RESISTANCE AND ANTI-VIRAL DRUG SCREENING

HONORABLE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

S I R:

Transmitted herewith is an amendment to the above-identified
application.

X Small entity status of this application under
37 C.F.R. § 1.9 and § 1.27 has been established by
a verified statement previously submitted.

 a verified statement to establish small entity
status under 37 C.F.R. § 1.9 and § 1.27 is enclosed.

X No additional fee is required.

The filing fee is calculated as follows:

| | NUMBER AFTER AMEND- MENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | | NUMBER OF EXTRA CLAIMS PRESENTED | | RATE | | FEE | |
|--|-----------------------------------|---|---|---|---|---|---------------------------------|-----------------|-----------------|-----------------|
| | | | | | | | SMALL ENTITY | OTHER ENTITY | SMALL ENTITY | OTHER ENTITY |
| Total Claims | 9 | - | * 20 | = | *** 0 | x | 9 | 18 | 0 | |
| Indepen- dent Claims | 6 | - | ** 7 | = | *** 0 | x | 40 | 80 | 0 | |
| Multiple Dependent Claims(s) Presented <u> </u> Yes <u> X </u> No For First Time: | | | | | | | 135 | 270 | 0 | |
| | | | | | | | TOTAL ADDITIONAL \$ 0.00 FEE | | | |

*If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than
20, write "20" in this space.

**If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than
3, write "3" in this space.

***If the difference between the "NUMBER AFTER AMENDMENT"
the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than
"0", write "0" in the space.

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Amendment Transmittal Letter
Page 2

The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims as originally filed.

— Please charge Deposit Account No. _____
in the amount of \$ _____.

X A check in the amount of \$ 455.00 is enclosed.
(\$455.00 to cover 3-Month Extension Fee)

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 03-3125. Three copies of this sheet are enclosed.

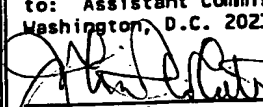
X Any filing fees under 37 C.F.R. §1.16 for the presentation of extra claims.

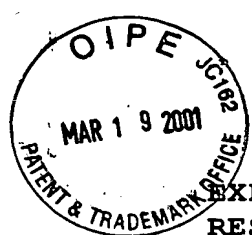
X Any patent application processing fees under 37 C.F.R. §1.17.

Respectfully submitted,



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| | |
|--|------------------------|
| I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231. | |
|  John P. White. Reg. No. 28,678 | <u>3/12/01</u> Date |



AF/CP-1642 #

EXPEDITED PROCEDURE
RESPONSE UNDER 37 CFR §1.116
GROUP ART UNIT: 1642

Dkt. 50130-E/JPW/CMR

13/2
(initials)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Daniel J. Capon, Jeannette M. Whitcomb and
Neil T. Parkin

Serial No. : 09/126,559 Examiner: B. Brumback

Filed : July 30, 1998 Group Art Unit: 1642

For : COMPOSITIONS AND METHODS FOR DETERMINING ANTI-
VIRAL DRUG SUSCEPTIBILITY AND RESISTANCE AND
ANTI-VIRAL DRUG SCREENING

1185 Avenue of the Americas
New York, New York 10036
March 12, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

AMENDMENT IN RESPONSE UNDER 37 CFR §1.116
IN REPLY TO SEPTEMBER 12, 2000 FINAL OFFICE
ACTION AND PETITION FOR A THREE-MONTH EXTENSION OF TIME

OK to enter
by
4-2-01

This Response is submitted in reply to the September 12, 2000 Final Office Action issued by the U.S. Patent and Trademark Office in connection with the above-identified application. A Response to the September 12, 2000 Final Office Action was originally due December 12, 2000. Applicants hereby petition for a three-month extension of time from December 12, 2000 to March 12, 2001. The fee for a three-month extension of time for a small entity is FOUR-HUNDRED FORTY FIVE DOLLARS (\$445.00) and a check in this amount is enclosed. Applicants have previously established small entity status. Accordingly, a response to the September 12, 2000 Office Action is now due March 12, 2001 and this Amendment is being timely filed.

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